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9
10 UNITED STATES DISTRICT COURT

11
12 NORTHERN DISTRICT OF CALIFORNIA

13 VICTOR CARBAJAL ET AL,

) Case No 08-01611 PVT

14 Plaintiffs,

) PLAINTIFF'S CASE MANAGEMENT
15) STATEMENT

16 vs.

) Date: August 19, 2008
17) Time: 2:00 p.m.

18 PLUMBERS ON CALL ET AL

)

19 Defendants.

)

20)
21 1. Jurisdiction and Service.

22 a. Basis for Court's subject matter jurisdiction over Plaintiff's claims: Fair
23
24 Labor Standards Act

- 1 b. Whether any issues exist regarding personal jurisdiction or venue: No.
2 c. Whether any parties remained to be served: No; all parties have been
3 served.

4 2. Facts.

5 Plaintiffs' Statement: Plaintiffs were employed by Defendants Plumbers On Call
6 Inc, Repipe Specialists Inc and Robie Dobkins as plumbers. Plaintiffs claim that the
7 aforementioned Defendants failed to pay them overtime wages under federal and state
8 law. On March 25, 2008 Plaintiffs filed a complaint against the aforementioned
9 Defendants and against Grant Hallstrom and America's Copper Repipe Specialist, Inc.,
10 Plaintiffs subsequently amended the complaint and served all of the Defendants. On July
11 29, 2008 Plaintiffs received a letter from Charles Greene Esq. stating that Defendants
12 Robie Dobkins and Plumbers on Call Inc., had filed Chapter 7 bankruptcy. Additionally
13 Plaintiffs discovered that Grant Hallstrom and America's Copper Repipe Specialists were
14 not the true names of their employers. Finally the owner of Defendant Repipe Specialists
15 Inc. wrote a letter to Plaintiff's counsel claiming that his company did not employ the
16 plaintiffs.

17 Plaintiff will dismiss the case against Defendant Hallstrom and America's
18 Copper Repipe Specialist. The Plaintiffs recognize that the filing of the bankruptcy
19 petition stays any action against the Defendants Robie Dobkins and Plumbers On Call
20 Inc.

21 However Plaintiff will not dismiss Defendant Repipe Specialists. The Plaintiff
22 will write a letter today, clearly stating that he will not dismiss Defendant Repipe
23 Specialist from the complaint and giving him another ten days to file an answer or default
24 will be filed.

25 Plaintiff respectfully suggests that the Case Management Conference scheduled
26 for tomorrow be rescheduled in another twenty days to give the Defendant Repipes
27 Specialist a longer opportunity to respond.

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2 DATED: August 18, 2008
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LAW OFFICES OF JAMES DAL BON

By: _____ /s/ JAMES DAL BON